

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHALPIN DENTAL ASSOCIATES,
PC; JOHN W. CHALPIN,

Third-Party Plaintiffs,

v.

CIEOS, INC.

Third-Party Defendant.

Civil Action

No. 10-7342

ORDER

AND NOW, this 10th day of May, 2011, upon consideration of third-party plaintiffs' Application for Default Judgment and the Affidavits submitted with said Application, it is hereby **ORDERED** that:

(1) the third-party complaint (Docket No. 8) is **STRICKEN**; and

(2) the application for default judgment (Docket No. 15) is **DENIED AS MOOT**.

If third-party plaintiffs wish to refile the third-party complaint, they may do so within two weeks of this order, accompanied by a motion seeking leave of court to refile and serving third-party defendant in accordance with Federal Rule of Civil Procedure 4(h).

/s/ Louis H. Pollak
Pollak, J.